

**FISHER ISLAND MUNICIPAL ADVISORY COMMITTEE
COMMITTEE MEETING**

UNAPPROVED MINUTES FOR
WEDNESDAY, FEBRUARY 1, 2006

FISHER ISLAND TENNIS CENTER

1. Call to Order

With MAC Chair, Ira Ostrow presiding, the February 1, 2006 Fisher Island MAC meeting was called to order at 6:15 PM.

2. Role Call

Present were the following:

Michael Pearce
Carolyn Sakolsky
Javier Acosta
Robert Vole
Ira Ostrow

Absent: Jorge Garcia

3. Approval of Minutes

The minutes of the meetings of 11/9/05 and 11/30/05 were distributed and will be approved at the next meeting.

4. General Discussion - Roads

Mr. Ostrow informs that present at this meeting is Mr. Andrew Conner, Miami-Dade County Public Works, Right of Way Division

Mr. Ostrow also introduced Ms. Anasagasti from the Miami Herald.

Jason Rodriguez informs that pursuant to the discussion regarding the jurisdiction of the roads on Fisher Island, he had brought with him Mr. Conner to perhaps provide some clarification. Mr. Rodriguez also reached out to the City of Miami Beach for a representative, but unfortunately that person could not attend but is willing to participate at the next meeting and address those questions.

Mr. Ostrow turns the floor over to Andrew Conner.

Mr. Conner explains that as far as Public Works is concerned there are no public

roads on Fisher Island. His researched showed that in 1925 there were eight roads dedicated to the public, and at that time they were part of the City of Miami Beach. Subsequent to that time the City has closed the roads to public maintenance, but they never gave up jurisdiction to those roads. Mr. Conner has not been able to find the resolution to close the roads. He has requested documentation from the Miami Beach City Clerk's office but they haven't been able to give that to him. Conner says regardless of whether they are open or closed has no bearing on the incorporation, except that it is under the jurisdiction of the City of Miami Beach. A few of the lots in that same plat are also their jurisdiction. The City of Miami Beach at one time annexed the whole island plus all the surrounding water up to the City of Miami limits. Somewhere between 1957 and 1960 some of the property owners sued the City and had themselves ousted from the city in a series of oustings. So they became unincorporated at that point. But some of the lots on the plat were not part of those suits and they remained under Miami Beach jurisdiction in addition to the roads, because the roads were not ousted.

Mr. Ostrow feels that the important thing is where things stand now. Mr. Conner says there only 8 roads were ever dedicated as public.

Ms. Sakolsky asks if any of those roads are under the jurisdiction of any city.

Mr. Connor says those 8 roads are under the jurisdiction of the City of Miami Beach.

Ms. Sakolsky says that if they are part of Miami Beach, they cannot be included as part of the incorporation because they are part of Miami Beach.

Mr. Conner explains that there are also a number of lots under Miami Beach jurisdiction.

Ms. Sakolsky explains that this is why she said she needed this information in order to write a legal description for the conceptual agreement, because where things stand now those areas cannot be included in the incorporation.

Mr. Acosta wants to know who those areas under Miami Beach jurisdiction are paying taxes to.

Ms. Sakolsky explains that all but one lot was purchased by Fisher Island Holdings. She asks if Mr. Conner can get her the folio numbers for those lots so she can pull them up and follow up on this.

Mr. Ostrow feels the matter again has to be defined and identified so the MAC is fully aware what they're dealing with.

Mr. Vole feels none of this affects Miami Beach either way.

Mr. Ostrow explains that he believes that Miami Beach would like to annex the rest of Fisher Island. He suggests that the MAC outline what steps can be taken at this time.

Ms. Sakolsky asks Mr. Conner if those roads that are in the jurisdiction of Miami Beach are actually owned by Miami Beach.

Mr. Conner says when they were dedicated they were owned by Miami Beach, but it is considered owned by the municipality. However, in a special case if the area is closed by the municipality it does not change the jurisdiction. He explains those right of ways were created by plat subdivision.

Distribution of Letter from County Attorney

Ms. Sakolsky sent a letter to the County Attorney's office regarding the issue of privacy after incorporation. The letter distributed at this meeting is in response to that letter.

Mr. Ostrow reads the letter aloud to the members. The letter states their opinion has not changed. Basically, it is the County Attorney's opinion that Fisher Island would have less exclusivity as a municipality than it currently enjoys.

Mr. Rodriguez suggests that Ms. Sakolsky talk to a commission about obtaining a response from another source.

Ms. Sakolsky feels her letter wasn't even read.

Mr. Ostrow suggests writing back a letter saying you didn't answer to our letter.

Mr. Rodriguez suggests contacting FI's commissioner.

Robert Vole suggests that there is a small parcel of land close to the sea wall that could be used to build a public facility. This would make an isolated public zone on the island.

Ms. Sakolsky feels that the reason for her letter to the County Attorney was to have something in writing that guarantees the island's privacy. She asked the attorney about if they don't use tax dollars for improvements etc. does the island stay private and that is not what he responded to.

Mr. Rodriguez again suggests that she contact Commissioner Barreiro, because basically the county attorney's office reports to the commission.

Mr. Ostrow feels Commissioner Barreiro has always been in FI's corner as the MAC moves forward. He feels that if there was a town hall off the island and continuing the same tax system as up to now, there should be no change in the island's privacy status.

MAC Budget Review by PMG Associates

Mr. Rodriguez informs that the County Manager was directed by the Board of County Commissioners to hire an independent firm to review the budgets presented by the different MACs. The group hired was PMG Associates. They were in the process of completing the study for another MAC and then Fisher Island would be next. Mr. Rodriguez suggests perhaps asking those consultants to come to the next MAC meeting if possible for their input. Then the budget would be reviewed prior to the second public meeting.

Mr. Ostrow asks if it would be better to meet at Jason's office. Mr. Rodriguez suggests meeting during regular MAC meeting, as he feels it would be more beneficial to the MAC as a whole.

Jason Rodriguez will set meeting with PMG.

Completion of Ethics Training

The county passed a resolution that all board members must complete ethics training. Mr. Pearce has not complete such training.

Mr. Pearce advises that he will set meeting with Ethics Committee for training. Jason will find out for him where meetings are being held.

MAC Board Appointment

Mr. Ostrow asks if anyone would like to nominate someone.

Ms. Sakolsky suggests including someone from the Club.

Suggested were Stan Smith, Tony or Askin among others.

Mr. Pearce feels that all MAC members agree they would like someone from the Club board.

Jason says that once the members identify that person they should then inform the commission. The commission will then appoint them.

5. Next Meeting of the Fisher Island MAC

After discussing availability among members the next meeting of the MAC is scheduled for **Wednesday, March 1, 2006, 6PM.**

Mr. Vole suggests addressing the charter issue at that time.

Mr. Acosta asks Jason Rodriguez if he recommends them to do anything to inform the newly appointed commissioner regarding the MAC.

Jason suggests meeting with that person to bring them up to speed.

Mr. Rodriguez explains that there are still several steps before the writing of a charter.

7. Adjournment: Motion was made for adjournment and seconded and the meeting was adjourned.